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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,913	06/26/2001	Tara Chand Singhal	11195.33	1401

7590
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05/04/2007

EXAMINER

HARBECK, TIMOTHY M

ART UNIT	PAPER NUMBER
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3692

MAIL DATE	DELIVERY MODE
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05/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/891,913	Applicant(s) SINGHAL, TARA CHAND	
	Examiner Timothy M. Harbeck	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/05/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 52-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 52-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/08/2007 has been entered.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 52-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al (hereinafter Wong; US 6,592,044 B1) in view of Brody et al (hereinafter Brody; US 2001/0029485 A1).

Re Claim 52: Wong discloses a payment card for conducting payment transaction between a customer and a merchant comprising:

- A substrate (FIG 1, Column 12, lines 20-30)
- An alias name on the substrate, the alias name being selected by the customer (Column 12, lines 47-49)

- A customer-identifier encoded on an encoding medium on the substrate
(Column 12, lines 53-58)

Wong does not explicitly disclose wherein the alias is printed on the substrate, however it is disclosed that the name is displayed on an LCD screen on the card (Column 12, lines 47-49). Furthermore, Wong discloses that it was old and well known in the art to use embossing techniques to print names on a payment card (Column 1, lines 14-18). Therefore, because these two technologies were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to substitute LCD displaying for printing of a name on a payment card.

Wong also does not disclose wherein the customer identifier is without customer identity of name and bankcard number. Brody discloses systems and methods for a customer identifier that are anonymous and without the name and bankcard number. Brody creates dynamic mappings of the card number to account numbers and utilizes an anonymous transaction server (third party) that identifies anonymous card attributes, maps them to the customers true credit card and forwards this information to the bank which then further forwards it to the merchant (paragraph 0045 and Fig 3). It would have been obvious to a person of ordinary skill in the art at the time of invention to include the teachings of Brody to the disclosure of Wong so that customers and merchants are protected from the potential theft of credit card information during transactions.

Re Claim 53: Wong discloses the claimed card and further discloses wherein the encoding medium is a magnetic strip (Column 12, lines 53-54).

Re Claim 54: Wong discloses the claimed card and further discloses wherein the customer identifier is self-created by the customer (Column 7, lines 16-19;)

Re Claim 55: Wong discloses the claimed card and further discloses wherein the customer identifier identifies the customer to a payment system, wherein the customer has an account and has pre-stored his/her bankcard data identifying each bankcard with a card specific personal identification number (Column 5, lines 47-65; Column 11, lines 47-65)

Re Claim 56: Wong discloses the claimed card and further discloses wherein the payment system uses an algorithm, the algorithm being used to encrypt the customer-identifier, the encrypted customer identifier appended with a reference to the algorithm is encoded on the payment card as an encrypted customer-identifier, and the card is physically delivered to the customer (Column 9, line 31-Column 10 line 38)

Re Claim 57: Wong discloses the claimed card and further discloses wherein the customer swipes the card at a merchant POS terminal, enters the CPIN, to effect a payment to the merchant from the bankcard identified by the CPIN (Column 11, line 34 – Column 12 line 3).

Re Claim 58: Wong discloses the claimed card and further discloses wherein the POS terminal transfers the customer-identifier, the CPIN, a merchant identifier, and a payment amount to a gateway to a bankcard authorization network, wherein the

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bankcard processor interfaces with the payment system using the customer-identifier and the CPIN (Column 11 line 34-Column 12 line 3)

Re Claim 59: Wong discloses the claimed card and further discloses wherein the payment system uses the customer-identifier to identify the customer in the payment system and with the CPIN retrieves specific bankcard data selected by the customer and sends it to the bankcard processor (Column 5, lines 47-65).

Re Claim 60: Wong discloses the claimed card and further discloses wherein the bankcard processor processes the payment transaction between the customer and the merchant and sends payment approval to the merchant POS terminal (Column 12, line 47-Column 12 line 3).

Re Claims 61-66: Further merchant point of sale terminal would have been obvious from the previously rejected payment card claims 52-60 and are therefore rejected using the same art and rationale.

Re Claims 67-70: Further system claims would have been obvious in order to utilize the previously rejected payment card claims 52-60 and are therefore rejected using the same art and rationale.

Re Claims 71-73: Further method claims would have been obvious to perform from the previously rejected payment card claims 52-60 and are therefore rejected using the same art and rationale.

Re Claim 74: Wong discloses a payment transaction method between a customer and a merchant with a web point of sale enabling a secure connection on a global computer network for accepting payments comprising the steps of:

- Displaying on the web page fields of fields of a name, a card number, and a card expire date (Column 18 lines 5-8)
- Entering an alias name for name, a customer-identifier for the card number, and for an expiration date enters a card specific PIN to select a specific bankcard from a plurality of bankcards of the customer for this payment transaction; (Column 17, lines 41-Column 18 line 40)

Wong does not explicitly disclose the step of:

- Displaying on the web page fields of, a pre-entered merchant identifier, a pre-entered transaction identifier, a pre entered dollar amount

Official Notice is taken that this step was old and well known in the art at the time of invention. It would have been obvious to a person of ordinary skill in the art at the time of invention to include such a step to improve the efficiency of the transaction, as the customer does not have to spend time tediously entering information that can be automatically rendered.

Wong also does not disclose wherein the customer identifier is without customer identity of name and bankcard number. Brody discloses systems and methods for a customer identifier that are anonymous and without the name and bankcard number. Brody creates dynamic mappings of the card number to account numbers and utilizes an anonymous transaction server (third party/payment system that prestores customer

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identifier and plurality of bankcards identified) that identifies anonymous card attributes, maps them to the customers true credit card and forwards this information to the bank which then further forwards it to the merchant (paragraph 0045 and Fig 3). It would have been obvious to a person of ordinary skill in the art at the time of invention to include the teachings of Brody to the disclosure of Wong so that customers and merchants are protected from the potential theft of credit card information during transactions.

Re Claim 75: Wong discloses the claimed method supra and further discloses the step of receiving payment transaction data from the web page POS by the bankcard processor, interfacing with a payment system with the customer-identifier and the CPIN and retrieving the specific bankcard data intended for the payment transaction (Column 17, lines 41-Column 18 line 40)

Re Claim 76: Wong discloses the claimed method supra and further discloses the step of processing payment transaction by the bankcard processor and sending payment approval data to the merchant and the customer via the global computer network (Column 17, lines 41-Column 18 line 40).

Re Claim 77: Wong discloses a method of selecting any one of a plurality of bankcards of a customer at a merchant point of sale for a payment of a merchant comprising the steps of:

- Entering of a customer identifier and a bankcard specific personal identification number in the point of sale interface (Column 5, lines 53-55)

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- Sending the identifier and the CPIN to a card processor (Column 5, lines 61-65)
- Interfacing by the card processor with a payment system, wherein the customer having a plurality of pre-stored customer bankcard data, each bankcard identified with a CPIN (Column 5, lines 47-65)
- Returning to the card processor the bankcard data corresponding to the customer identifier and the CPIN from the payment system (Column 5, lines 56-65)

Wong also does not disclose wherein the customer identifier is without customer identity of name and bankcard number. Brody discloses systems and methods for a customer identifier that are anonymous and without the name and bankcard number. Brody creates dynamic mappings of the card number to account numbers and utilizes an anonymous transaction server (third party/payment system that prestores customer identifier and plurality of bankcards identified) that identifies anonymous card attributes, maps them to the customers true credit card and forwards this information to the bank which then further forwards it to the merchant (paragraph 0045 and Fig 3). It would have been obvious to a person of ordinary skill in the art at the time of invention to include the teachings of Brody to the disclosure of Wong so that customers and merchants are protected from the potential theft of credit card information during transactions.

Re Claim 78: Wong discloses the claimed method supra and further discloses identifying a particular bankcard of the customer and verifying the customer by the CPIN (Column 5, lines 61-65)

Re Claim 79: Wong discloses the claimed method supra and further discloses processing the payment transaction with the bankcard data by the card processor ((Column 5, lines 61-65)

Re Claim 80: Wong discloses the claimed method supra and further discloses

- Having access to the payment system by the customer

Entering the bankcard data and self-selecting a CPIN for each bankcard of the customer (Column 5, lines 47-65; "enables accessing a selected one of a plurality of different accounts.")

Re Claim 84: Brody discloses a system of bankcard data storage in a computer system comprising:

- A transformation logic that breaks an original bankcard number into parts of bank code, 4 digit portions of the card number and card expiration date (paragraph 0035)
- The transformation logic maintains a plurality of offset table for each of these parts of the bankcard number and applies the offsets to each part of the original bankcard number with the corresponding offset from the tables and saves the transformed bankcard number in a data storage, wherein the transformed bankcard number is indistinguishable from the original bankcard number in format (paragraphs 0028-0030)

- The transformation logic reads the transformed bankcard number from the data storage and removes the offset and gets the original bankcard number (paragraph 0030)

Re Claim 85: Brody discloses the claimed system supra and further discloses wherein the transformation logic uses a sequence number to identify each bankcard number in the data storage and; the offsets that are applied to the original bankcard number are dependent upon the sequence number (paragraphs 0028-0030 and 0035).

Response to Arguments

Applicant's arguments with respect to claims 52-85 have been considered but are moot in view of the new ground(s) of rejection.

With regards to the applicants argument that is not a credit card but an 'overlay payment card' that overlays one or more existing bankcards of the customer using a customer identifier and card specific PIN, the examiner submits that this is precisely what the invention of Brody does. The anonymous transaction server generates a anonymous credit card (not necessarily a physical card) corresponding to a consumers true credit card. In the examiners opinion there is no difference between an 'overlay payment card' that overlays on or more existing bankcards of the customer and the method of Brody.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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